

Substitute for PTO-1390 (Rev. 07-2005) "Transmittal Letter"
Approved for use through 3/31/2007 OMB 0651-0021

U. S. PATENT AND TRADEMARK OFFICE
U. S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

21419YP

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/575790

INTERNATIONAL AP
PCT/US2004/041887

INTERNATIONAL FILING DATE
13 December 2004

PRIORITY DATE CLAIMED
17 December 2003

TITLE OF INVENTION

(3,4-DISUBSTITUTED)PROPANOIC CARBOXYLATES AS S1P (EDG) RECEPTOR AGONISTS

APPLICANT(S) FOR DO/EO/US

Vincent J. Colandrea, George A. Doherty, Jeffrey J. Hale, Pei Huo, Irene E. Legiec, Leslie Toth, Peter Vachal and Lin Yan

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
 4. The US has been elected (PCT Article 31).
 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. is attached hereto
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
 9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].

Items 11 to 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. A preliminary amendment.

14. An Application Data Sheet under 37 CFR 1.76.

15. A substitute specification.

16. A power of attorney and/or change of address letter.

17. A computer-readable form of the sequence listing in accordance with Rule 1.31(e)(2) and 37 CFR 1.821.

18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. Other items or information:

EX-13

EX-13
DATE OF DEPOSIT April 12, 2006
EX-13 Rule 13(e)(2) and 37 CFR 1.821 1-825
MURKIN, D. J. (APR 12 2006)
der 35 U.S.C. 154(d)(2)
BEING DEPOSITED WITH THE UNITED STATES POSTAL
INTERNATIONAL MAIL CENTER, 46365 EXPRESS MAIL POST OFFICE IN (d)(4).
ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN
AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, D.C. 20231.
MAILED BY John Schepers
DATE April 12, 2006

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER	
10/575790	PCT/US2004/041887	21419YP	
The following fees are submitted:		CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee.....\$300		\$300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200		\$200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400 All other situations.....\$500		\$100.00	
		TOTAL OF 21, 22 and 23= \$600.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	
225 - 100 =	125 /50	2.5 = 3	
		X \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		\$750.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	
Total Claims	20 - 20 =	0	
Independent Claims	1 - 3 =	0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00	
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)		= \$1,350.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].		+ \$0.00	
		TOTAL NATIONAL FEE = \$1,350.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		+ \$40.00	
		TOTAL FEES ENCLOSED = \$1,350.00	
		Amount to be refunded:	
		Amount to be charged:	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.			
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$1,350.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Customer No. 000210			
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970			
 SIGNATURE <u>Raynard Yuro</u> NAME			
DATE: <u>April 12, 2006</u>			
PHONE #: <u>(732) 594-0182</u>			
45,570 REGISTRATION NUMBER			

10/575790

**Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING
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Attorney Docket No.: 21419YP

International Appln No.: PCT/US2004/041887

International Filing Date: December 13, 2004

Priority Date: December 17, 2003

Title: (3,4-DISUBSTITUTED)PROPANOIC CARBOXYLATES
AS S1P (EDG) RECEPTOR AGONISTS

Inventors:
Vincent J. Colandrea
George A. Doherty
Jeffrey J. Hale
Pei Huo
Irene e. Legiec
Leslie Toth
Peter Vachal
Lin Yan

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT April 12, 2006

EXPRESS MAIL NO. EV 660604699 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE
DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR
PATENTS P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY Lena Schepisi DATE April 12, 2006